

CHAPTER ONE GENERAL PROVISIONS

1100.	AUTHORITY	1
1200.	FINDINGS.....	1
1300.	PURPOSE AND INTENT	1
1400.	GENERAL RULES OF INTERPRETATION	2
1401.	INTERPRETATION	2
1402.	ABROGATION	3
1403.	APPEALS	3
1404.	IMAGE DISCLAIMER	5
1405.	PUBLIC HEARING AND NOTICE	5
1406.	REHEARING OF APPLICATION	6
1500.	DEFINITIONS	7
1600.	ADMINISTRATIVE OFFICIALS.....	51
1601.	DIRECTOR OF GROWTH MANAGEMENT.....	51
1602.	BUILDING OFFICIAL	53
1603.	DIRECTOR OF THE LAND DEVELOPMENT DIVISION	54
1604.	DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS.....	54
1605.	(RESERVED).....	55
1606.	DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES	55
1607.	REASSIGNMENT OF DUTIES AND RESPONSIBILITIES	56
1700.	PLANNING AND DEVELOPMENT COMMISSION (PDC)	56
1701.	ESTABLISHMENT AND PURPOSE.....	56
1702.	POWERS AND DUTIES.....	57
1703.	OFFICERS.....	58
1704.	DECISION CRITERIA	59
1705.	IMPROPER INFLUENCE.....	59
1800.	PENALTIES, REMEDIES AND ENFORCEMENT STANDARDS	59

CHAPTER ONE GENERAL PROVISIONS

This Code shall be known as, cited as, and referred to as the Citrus County Land Development Code. It may, in subsequent sections, be referred to as the LDC or this LDC.

1100. AUTHORITY

The Citrus County Land Development Code is adopted pursuant to Chapter 163, Part II, Florida Statutes, and Chapter 125, Florida Statutes.

1200. FINDINGS

The Citrus County Board of County Commissioners (BCC) finds that:

- A. A single set of administrative procedures for making all land use decisions promotes efficiency, predictability, and citizen participation;
- B. All development proposals must undergo a development review process to assure compliance with the requirements of this LDC;
- C. Mandatory concept review allows property owners to modify proposals in response to early staff comment;
- D. All administrative decisions should be supported by a record with written findings to assure accountability and efficient appellate review;
- E. A quick, efficient, and nonpolitical avenue of appeal should be available for all ministerial and administrative decisions; and
- F. Enforcement of development orders and the provisions of this LDC should be through procedures that are efficient, effective, and consistent with code enforcement procedures established by State law.

1300. PURPOSE AND INTENT

The primary purpose of the LDC is implementation of the Comprehensive Plan, as adopted pursuant to Chapter 163, Part II, Florida Statutes. The Citrus County Board of County Commissioners (BCC) deems it necessary to adopt the LDC for the following purposes:

- A. Guiding and accomplishing coordinated, adjusted, and harmonious development in accordance with existing and future needs of the County;

- B. Protecting, promoting, and improving the public health, safety, comfort, order, appearance, convenience, morals, and general welfare;
- C. Conserving the value of land, buildings, and resources, and protecting landowners from adverse impacts of adjoining developments;
- D. Protecting the character and maintaining the stability of residential, agricultural, business, industrial, recreation, and public areas;
- E. Promoting orderly development of residential, agricultural, business, industrial, recreation, and public areas;
- F. Controlling and regulating growth of the County, concentrating more intense development in areas with high development capability, and limiting development in areas of low capability;
- G. Directing and controlling, through establishment of performance standards, the type, distribution, and intensity of development;
- H. Balancing the interest of the general public in Citrus County and that of individual property owners;
- I. Protecting, and where necessary, preserving our valuable natural resources including, but not limited to: ecologically significant land, water resources, wildlife habitat, fisheries, and threatened or endangered species; and
- J. The requirements of this LDC apply to all development occurring after the effective date of this LDC unless otherwise exempted by this LDC, the Comprehensive Plan, or other ordinance.

1400. GENERAL RULES OF INTERPRETATION

1401. INTERPRETATION

- A. In the interpretation and application of the LDC, all standards, criteria, and requirements shall be liberally construed in favor of the purposes and goals of Citrus County and deemed neither to limit nor repeal any other lawful regulatory powers of the County.
- B. Where this LDC conflicts with or overlaps other regulations, whichever imposes the more stringent restrictions shall prevail.
- C. The Director of the Land Development Division is empowered to interpret this LDC, unless in those areas where another County Official is so designated.

- D. In the event that any question arises concerning application of regulations, performance standards, definitions, development criteria, or any other provision of this LDC, the Director of the Land Development Division shall be responsible for interpretation. Responsibility for interpretation by the Director shall be limited to standards, regulations, and requirements of this LDC. Such responsibility shall not be construed to include interpretation of any technical codes adopted by reference in the appendices. Interpretations rendered by the Director of the Land Development Division shall be subject to confirmation by the Director of Growth Management. Interpretation of any technical codes adopted by reference in the appendices shall be the responsibility of the Director of the Department of Public Works. Further, responsibility shall not be construed to substitute for any rights or responsibilities assigned to any commission, board, or official named in other sections or chapters of this LDC. The Director(s) shall rely upon policies adopted or amended in the Comprehensive Plan in making any such interpretation.
- E. Interpretation of the adopted Florida Building Codes or the Citrus County building ordinance shall be the responsibility of the Building Official.

1402. ABROGATION

This LDC is not intended to repeal, abrogate, or interfere with any existing easements, covenants, or deed restrictions duly recorded in the public records of Citrus County. The LDC is not intended to repeal any lawful approval by official County action of any planned development, planned unit development, or subdivision.

1403. APPEALS

A. Procedure

Any applicant or other interested party who desires to appeal a decision of the Board of County Commissioners or the Planning and Development Commission, shall comply with the procedures and provisions set forth below.

B. Official Interpretations Made by the Land Development Director

Appeals shall be made by an application filed by the aggrieved party to the Growth Management Director within 30 days of the issuance of the decision appealed. The application shall be on a form accompanied by a fee both of which prescribed by the Board of County Commissioners.

The Growth Management Director shall consider the application and consult with the County Attorney or his/her designee within 30 days of receipt of the

application. If the Growth Management Director and the County Attorney find the application is supported by adequate data and analysis to overturn the decision, the applicant shall be notified in writing and the fee shall be returned minus 25% for administrative processing costs. If the Growth Management Director and the County Attorney believe the interpretation should be upheld, the application, including all documentation submitted by the applicant, shall be forwarded to the County Administrator's Office for placement on a Board of County Commissioners' agenda for consideration, unless the appellant chooses to retain a Special Master, which election must be in writing at the time of filing. If such option is chosen, the County Administrator's Office shall have the sole authority to select the Special Master, and the appellant shall be responsible for all costs associated with the hiring of such individual.

C. Variance

Appeal of any decision granting a Variance, shall be by filing a Petition for Writ of Certiorari with the Circuit Court in Citrus County within thirty (30) days of rendition of the decision to be reviewed.

D. Conditional Use

Any appeal of any decision by the Planning and Development Commission, shall be appealed by filing a Petitioner for Writ of Certiorari with the Circuit Court in Citrus County within thirty (30) days of rendition of the decision to be reviewed.

E. Petition for Writ of Certiorari

All petitions for Writ of Certiorari filed under this section shall name Citrus County as a Respondent and a copy of such petition shall be furnished to the Chairman of the Board of County Commissioners and the Citrus County Attorney.

F. Stay Work

An appeal stays all work on the premises and all proceedings in furtherance of the action appealed from, unless:

1. The Growth Management Director shall certify to the Board that, by reason of facts, the stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed, except by a restraining order, which may be granted by the Board or by a court of record on the application, on notice to the Growth Management Director from whom the appeal is taken and on due cause shown; or

2. The applicant furnishes the County with a properly executed waiver of claims, release from liability and hold harmless instrument, in a form approved by the County Attorney, that protects the County from liability for the issuance of further development permits for the project while the legal challenge is pending. No construction, building, or other development order shall be issued, unless the aforementioned waiver is provided.

G. Appeals Made to the Board of County Commissioners

An appeal, appropriately made to the Board of County Commissioners, shall be heard at a duly advertised public meeting. The applicant shall be the party responsible for all costs associated with such notice.

H. Record on Appeal

Any person who decides to appeal a decision made by the Planning and Development Commission and/or Board of County Commissioners, with respect to any matter considered at a public hearing will need to insure that a verbatim record of the proceeding is made, which record shall include the testimony and evidence upon which the appeal is to be based. The person appealing shall be responsible for all costs associated with the record.

1404. IMAGE DISCLAIMER

The photographs, drawings, and other images included in this LDC are intended merely to be examples of designs that may be allowed under the provisions of this Code under certain circumstances which include compliance with all other applicable provisions of this LDC. The images are not intended to depict designs that are allowed under all circumstances. In situations in which there is a conflict between an image or any portion thereof and the textual requirements of this LDC, the provisions of the text shall control.

1405. PUBLIC HEARING AND NOTICE

- A. Due public notice as used herein shall mean publication and notification in compliance with the applicable provisions of Florida Statutes.
- B. Due notice shall be deemed to mean notice by first class mail to all known owners of property lying within 500 feet from the property under application for public hearing, unless otherwise specified in this LDC. A list of such owners shall be taken from the latest ad valorem tax records in the Property Appraiser's Office.
- C. The applicant shall be responsible for all fees for public notices required by this Section.

- D. Notice of a public hearing shall be given sufficiently in advance to provide adequate notice and shall contain the following information:
1. The date, time, and place of the hearing.
 2. A description sufficient to inform an interested party of the location of the property for which a development order or other action is pending including, but not limited to: use of a map or postal address and a subdivision lot and block designation, a metes and bounds description, or the tax map designation of the County Property Appraiser.
 3. The substance of the proposed application specifying the nature of the issue being considered.
 4. The sections of the LDC pertinent to the hearing procedure.
- E. The failure of the County to mail or a property owner to receive notice shall not invalidate a board action if a good faith attempt was made to comply with the requirements of this LDC for notice.
- F. The provisions of this subsection shall not be construed to require mailed notices in those cases where the application is for a change of land use in excess of 1,500 acres in total area under application.
- G. Additionally, a sign giving notice of the hearing shall be posted on all properties under application. The sign shall be of a size and text determined by the Director of the Land Development Division. The sign shall be posted in such a manner as to be clearly visible from a public or private street, way, or place. The signs shall be placed at least seven days prior to the scheduled public hearing.

1406. REHEARING OF APPLICATION

In the event of denial of an application, the PDC and/or BCC shall not be required to hear the same (or essentially the same) application again within a period of 12 months, unless the PDC and/or BCC shall find that a material change in the situation justifies a rehearing.

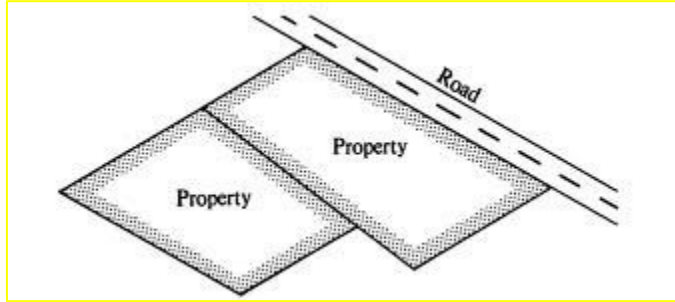
- A. In the event that any such application is again made or desired to be made within a period of one year from the date of such denial, the applicant shall state expressly in writing the material change that has occurred to justify rehearing of such application.
- B. In the event the PDC and/or BCC agree to rehear such application, the applicant shall make a new application and pay all fees required as though the application had never before been heard.
- C. A change in ownership or property or any interests therein shall not be deemed a material change in the situation for the purpose of this section.

1500. DEFINITIONS

The following rules shall be observed in the application and interpretation of provisions of this LDC, except when the context clearly requires otherwise:

- A. The words "shall", "should", or "must" are mandatory. The words "may" or "might" are discretionary.
- B. Words used or defined in one tense or form shall include other tenses or derivative forms.
- C. Words in the singular shall include the plural; words in the plural shall include the singular.
- D. In the event of a conflict between the text of this LDC and any illustrations, captions, figures, or other graphic material, the text shall control.
- E. The word "includes" shall not limit a term to specific examples but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- F. Definitions herein are based on the meaning given to them according to the following order:
 - 1. Comprehensive Plan
 - 2. Florida Statutes
 - 3. Florida Administrative Code
 - 4. Adopted County Ordinances
 - 5. Merriam-Webster's Collegiate Dictionary, Eleventh Edition

Unless specifically defined as referenced above, words or phrases used in this LDC shall have the meaning of common usage which gives this LDC its most reasonable application:



Abut: To physically touch or border upon, or to share a common property line.

Access Improvements: Improvements designed to insure safe and adequate ingress and egress. The term “access improvements” includes, but is not limited to, acceleration, deceleration and turn lanes, traffic signals and signs, and any road capital facility which does not increase the existing road capacity.

Accessory Use or Structure: Any use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.



1. Attached Accessory Structure – An accessory structure attached by a common wall(s), foundation and under the same roofline of the principal structure.



2. Detached Accessory Structure – An accessory structure not attached and not made a part of the principal structure.



Adult Day Care Center: A facility as defined in Chapter 429, F.S.

Adult Family Care Home: As defined in Chapter 429, F.S.

Aeronautical Study: A Federal Aviation Administration study, conducted in accordance with the standards of 14 C.F.R. part 77, subpart C, and Federal Aviation Administration policy and guidance, on the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.

Affordable Housing:

1. Housing that is occupied by very low income persons, and monthly rents or monthly mortgage payments including property taxes and insurance do not exceed 30 percent of that amount which represents 50 percent of the median gross annual household income, adjusted for family size for Citrus County or the State of Florida, whichever is greater, divided by 12, and/or;
2. Housing that is occupied by low income persons and monthly rents or monthly mortgage payments including property taxes and insurance do not exceed 30 percent of that amount which represents 80 percent of the median gross annual household income, adjusted for family size for Citrus County or the State of Florida, whichever is greater, divided by 12, and/or;
3. Housing that is occupied by moderate income persons and monthly rents or monthly mortgage payments including property taxes and insurance do not exceed 30 percent of that amount which represents 120 percent of the median gross annual household income, adjusted for family size for Citrus County or the State of Florida, whichever is greater, divided by 12.

4. The maximum unit price for affordable housing shall not exceed that amount specified for new construction in the latest version of the Citrus County State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan.

Aggregate: Mineral particles that range in size from 0.03-inch to 3.0-inches in diameter.

Aggrieved Party: Any entity which will suffer an adverse effect to an interest protected or furthered by the Comprehensive Plan or Land Development Code including interests related to health and safety; police and fire protection service systems; densities or intensities of development; transportation facilities; health care facilities, equipment, or services; or environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but shall exceed in degree the general interest in community good shared by all persons.

Air Pollution: A condition of the air, arising wholly or partly from the presence therein of one or more contaminants, that endangers the health, safety, or welfare of persons, interferes with normal enjoyment of life or property, endangers the health of animal life, or causes damage to plant life or property.

Aircraft: A Federal Aviation Administration (FAA) approved device that is used or intended to be used for flight in the air. Does not include ultra-light.

Airport: Means any area of land or water designed and set aside for the landing and taking off of aircraft and used or to be used in the interest of the public for such purpose and validly permitted by Citrus County or the State as such and licensed by the State.

Airport Elevation: The highest point of an airport usable landing area measured in feet above mean sea level.

Airport Hazard: An obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities.

Airport Hazard Area: Any area of land or water upon which an airport hazard might be established.

Airport Layout Plan: A set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport.

Airport Master Plan: A comprehensive plan of an airport which typically describes current and future plans for airport development designed to support existing and future aviation demand.

Airspace Obstruction: Any existing or proposed object, terrain, or structure construction or alteration that exceeds the federal obstruction standards contained in 14 C.F.R. Part 77, Subpart C. The term includes:

- a) Any object of natural growth or terrain
- b) Permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or
- c) Alteration of any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.

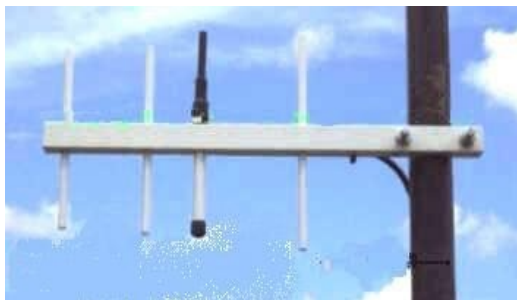
Alter: To change, rearrange, enlarge, extend, or reduce any structure or land or part thereof on the same site.

Amortization: A method of eliminating nonconforming uses or structures by requiring termination of the nonconforming use or structure after a specified period of time.

Antenna: shall mean any exterior or hidden transmitting or receiving apparatus mounted on a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals (excluding amateur radio and residential satellite earth stations).

Antenna, Microwave: shall mean a dish antenna, or a dish-like antenna used to link communication sites together by wireless transmission of voice or data.

Antenna, Panel (Directional or Beam): An array of antennas designed to concentrate a radio signal in a particular area.



Antenna, Whip: A cylindrical antenna that transmits signals 360 degrees.

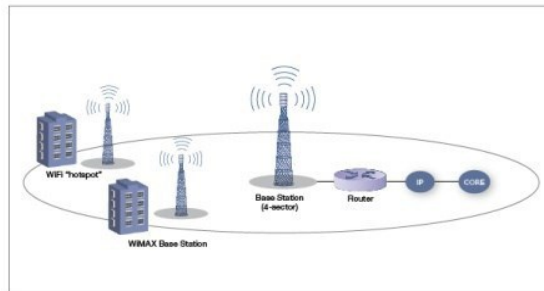
Approved Reclamation Program: A reclamation program approved by the Department.

Aquifer: A geologic formation, group of formations, or part of a formation capable of yielding a significant amount of ground water to wells, springs or surface water.

Area of Special Flood Hazard: The land in a floodplain identified by the Flood Insurance Administration is subject to a one percent or greater chance of flooding in any given year and noted on flood maps described in this LDC. This term is synonymous with the phrase “special flood hazard area.”

Assisted Living Facility (ALF): A type of residential care facility defined in Chapter 429, F.S., and described as any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

Backhaul Network: The facilities/lines that connect a provider’s towers and cell sites to each other and/or to one or more cellular telephone switching offices, and/or long distance providers, or the public switched network.



Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. (also called the “100-year flood” and the “regulatory flood”).

Base Flood Elevation: The water surface elevation associated with the base flood.

Bed and Breakfast Inn: A structure or structures on a single parcel of record with up to ten rental rooms where the owner resides on the premises and manages the property, the external single family residential character of the structure(s) is not altered and, if meals are offered, they are available only to registered guests and their invitees.

Berm: A mound or bank of earth above the general elevation of the adjacent ground or surface, used as a barrier, or to provide insulation.



Best Management Practices (BMP): Policies, practices, procedures, and/or structures implemented to mitigate the adverse environmental effects resulting from development. BMPs are categorized as structural or non-structural.

Biennial Mining and Reclamation Report: A report, including maps and aerial photographs, submitted for each mine, which describes and delineates mining operations, reclamation and restoration activities undertaken during the reporting period. The report shall also include an estimate of proposed mining, reclamation and restoration activities that the operator intends to carry out during the next two years.

Billboard: An offsite sign that is owned by an individual or entity that rents or otherwise makes available the face of the sign for another party to place an advertisement or some other message. If a sign would otherwise be considered a billboard except for the fact that the message on the sign advertises products or services that are available at the sign's location, it shall be considered a billboard.



Biohazardous waste: Any solid waste or liquid waste that may present a threat of infection to humans. The term includes, but is not limited to, nonliquid human tissue and body parts; laboratory and veterinary waste which contains human disease-causing agents; discarded sharps; human blood, human blood products, and body fluids. The following are also included:

1. Used, absorbent materials such as bandages, gauze, or sponges, that are supersaturated, having the potential to drip or splash blood or body fluids, from areas such as operating rooms, delivery rooms, trauma centers, emergency rooms, or autopsy rooms;
2. Devices which retain visible blood adhering to inner surfaces after use and rinsing such as intravenous tubing, hemodialysis filters, and catheters; and
3. Other contaminated solid waste materials which represent a significant risk of infection that are generated in medical facilities which are for persons suffering from those rare or unusual diseases requiring strict isolation criteria and listed by the U.S. Department of Health and Human Services, Center for Disease Control, "2007 Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings".

Blasting and Reporting Standards: As defined and codified by the State Fire Marshall.

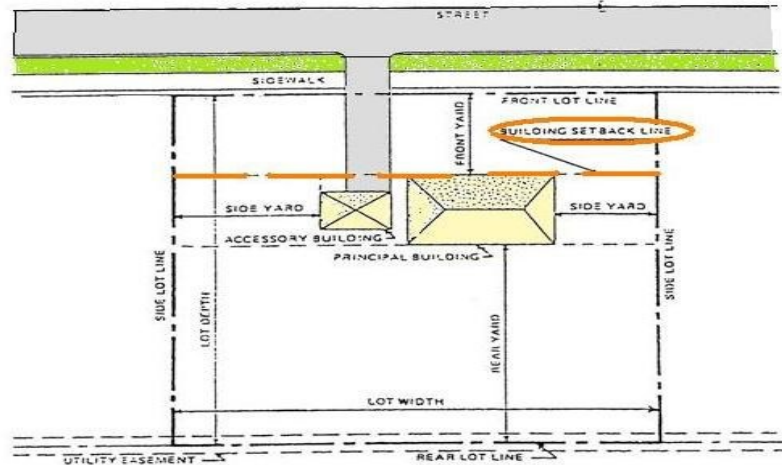
Board: The Citrus County Board of County Commissioners; its designee and/or authorized representative.

Boat Slip: For the purposes of marina/dock facilities and multifamily and single family docks, a boat slip is a component of a docking facility, which can permanently accommodate no more than one boat or vessel.

Buffer: A specified land area together with plantings and landscaping sufficient to visibly separate one land use from another or to shield or block noise, lights, or other nuisances.

Building: Any structure having a roof supported by columns or walls designed, built, placed, or erected for the purpose of providing support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

Building Line: A line parallel to the street line at a distance there from equal to the depth of the front yard required for the land use/zoning district in which the lot is located.



Building Permit: Written permission issued by Citrus County government authority for construction, repair, alteration, or addition to a structure.

Cemetery: Land used for the burial of the dead and dedicated for cemetery purposes including columbaria, crematories, mausoleums, or mortuaries operated in conjunction with and on the same land as the cemetery.



Central Water System: Any water system, other than individual wells, serving five or more households or two or more nonresidential users and requiring an operator.

Certificate of Occupancy: A document issued by the Building Official upon passing all required building, electrical, gas, mechanical, plumbing, fire, and health department inspections.

Clean Fill: Soil, sand, or other naturally occurring unconsolidated organic or inorganic solid matter.

Clean Wood: Wood, including lumber, tree and shrub trunks, branches, and limbs, which is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, other wood preservatives or treatments.

Closed Unit (Construction and Demolition Debris): Any construction and demolition debris landfill that no longer receives construction and demolition debris and has received a final layer of cover material.

Coastal Barriers: All barrier islands, spits, peninsulas, or similar landforms, including the Florida Keys, which front on the Atlantic Ocean, Gulf of Mexico, or Straits of Florida and which separate estuaries or harbors from the open waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida.

Coastal High Hazard Area (CHHA): The evacuation zone for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to the local government. (Please see LDC Atlas for delineation.) For floodplain management purposes, the coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-V30, VE or V.

Collocation: The location of two or more antennas on either a new or existing telecommunications tower or one or more antennas on an electrical structure or existing radio and television towers.



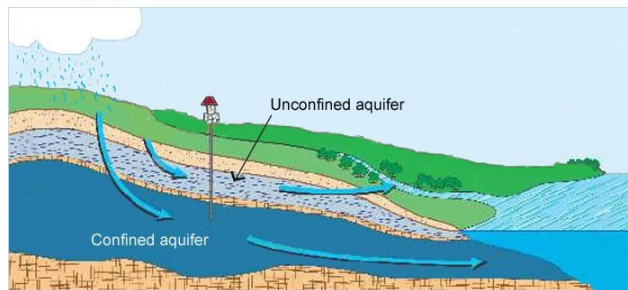
Commercial Recycling Center: A recovered materials processing facility engaged solely in the storage, processing, resale, or reuse of recovered materials. Such facility is not a solid waste management facility if it meets the conditions of Section 403.7046, F.S.

Community Residential Home, Large: A dwelling unit licensed to serve residents, as defined as resident(s), who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or a dwelling unit licensed by the Agency for Health Care Administration - which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community Residential Home, Small: A dwelling unit which has all of the required licenses or permits from the state agencies for its functions, and which provides a living environment for six (6) or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Conditional Use: A use permitted in a particular land use district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified and authorized by this LDC.

Confined Aquifer: An aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself.



Construction Aggregate: Crushed stone, limestone, dolomite, limerock, shell rock, cemented coquina, sand for use as a component of mortars, concrete, bituminous mixtures, or underdrain filters, and other mined resources providing the basic material for concrete, asphalt, and road base.

Construction and Demolition Debris: Non-hazardous material generally considered not to be water soluble, including, but not limited to, steel, concrete, glass, brick, asphalt material, pipe, gypsum wallboard or lumber from the construction, destruction, renovation or maintenance of a structure or site. Unless otherwise provided by law, the term includes rocks, soils, tree remains, trees, and other vegetative matter which normally results from land clearing or land development operations for a construction project. Contamination of construction and demolition debris with any amount of other types of solid waste will cause it to be classified as other than construction and demolition debris.

Construction and Demolition Debris Landfill: A facility permitted for the disposal of construction and demolition debris.

Contaminant: An undesirable substance not naturally present or an unusually high concentration of a naturally occurring substance in water, soil, or other environmental medium.

County: Citrus County, a political subdivision of the state of Florida

Cover Material (Construction and Demolition Debris): Solid material that is easily workable during both wet and dry seasons, compactable and with no organic matter conducive to the harborage and/or breeding of vectors, suitable for growing plants and not containing significant amounts of substances toxic to plants such as high content of sodium, salts, or lime.

Datum: A reference surface used to ensure that all elevation records are properly related. The current national datum is the National Geodetic Vertical Datum (NGVD) of 1929, which is expressed in relation to the mean sea level, or the North American Vertical Datum (NAVD) of 1988.

Delivery Inspection Area (Construction and Demolition Debris): An area adjacent to the final disposal site for delivery inspection as designated by the approved permit.

Density, Gross: The total number of dwelling units divided by the total site area less public right-of-way.

Department: Citrus County Department of Growth Management or its successor agency.

Developer: Any person, firm partnership, association, corporation, company, or organization of any kind engaged in any type of man-made change of improved or unimproved land.

Development: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. This definition includes all references as specified in Section 380, F.S.

Development Agreement: An enforceable agreement which may include, but is not limited to, development agreements entered into pursuant to F.S.163.3220, or an agreement or development order issued pursuant to Section 380, F.S. and/or Citrus County Code.

Development Order: Means any order granting, denying, or granting with conditions an application for a development permit.

Development Permit: Formal permission to erect, construct, reconstruct, alter, raze, move, remove, or otherwise develop or use land within Citrus County. This includes any building permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

Development Right: A legal claim (authority) to convert a tract of land to a specific purpose by construction, installation, or alteration of a building or other structure, or a legal claim to excavate or fill for mining.

Dewater: The temporary removal of ground water or surface water to temporarily lower water levels to allow excavation and excavation-related activities to be done under dry conditions.

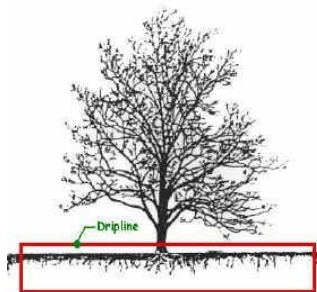
Disposal (Construction and Demolition Debris): The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or upon any land or water so that such solid waste or hazardous waste or any constituent thereof may enter other lands or be emitted into the air or discharged into any waters, including groundwater or otherwise enter the environment.

Disposal (Hazardous or Biohazardous Waste): The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or upon any land or water so that such solid waste or hazardous waste or any constituent thereof may enter other lands or be emitted into the air or discharged into any waters, including groundwater or otherwise enter the environment

Disposal Site (Construction and Demolition Debris): Any area used for disposal of construction and demolition debris including all delivery inspection areas and open, closed, or proposed cells and subcells.

Dolomite: A mineral composed primarily of calcium and magnesium carbonate.

Drip Line: An imaginary perpendicular line that extends downward from the outermost tips of the tree branches to the ground.



Dwelling Unit: A single housing unit providing complete independent living facilities for one housekeeping unit including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Dwelling, Single Family: A structure containing one dwelling unit and not attached to any other dwelling unit by any means. A single family unit may contain an accessory apartment pursuant to this LDC.

Dwelling, Multifamily: Any residential structure containing two or more separate dwelling units.

Easement: An interest in real property that is less than fee simple or full ownership, granting rights to the beneficiary or easement holder that may limit the use of the underlying fee interest.

Ecologically Significant Lands: Lands identified after onsite review to include characteristics that are vulnerable to modification by development activities which may change the functional ability of the existing land use.

These characteristics include habitat for species listed as endangered, threatened, or species of special concern, estuaries, shellfish harvesting beds, wetlands, springs, and other direct access points to the Floridan aquifer, highly erodible soils, steep slopes, caves, prime agricultural lands, and land designated by local, state, and federal agencies for preservation and conservation.

Elevated building: A non-basement building built to have the lowest floor elevated above the ground level by foundation walls, posts, piers, columns, pilings, or sheer walls.

Encroachment: For floodplain management purposes, the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Environmentally Sensitive Lands: Areas of land or water which are determined necessary by Citrus County to conserve or protect natural habitats and ecological systems. Nothing in this definition shall be construed to prohibit silvicultural operations which employ the Florida Department of Agriculture and Consumer Affairs Best Management Practices.

Estuary: A semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by fresh water and which has a connection with oceanic waters, including bays, embayments, lagoons, sounds and tidal streams.



Existing Unit (Construction and Demolition Debris): Any construction and demolition debris facility receiving construction and demolition debris that has not received a final layer of cover material.

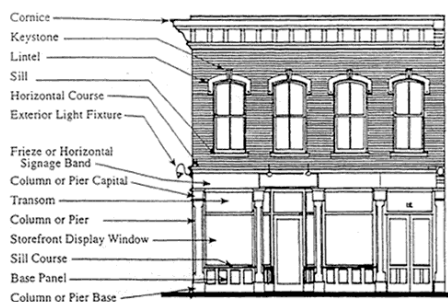
Existing Use: The use of a lot, parcel, or structure at the time of enactment of this LDC.

Expanded Mine: A lawful mine which has been authorized to expand beyond the legal description in its prior vested rights determination or County permit.

Expansion to an existing manufactured home park or subdivision: For floodplain management purposes, the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

Expressway: A highway with at least two lanes for exclusive use of traffic in each direction, with no or partial control of access, that may have periodic interruptions to flow at signalized intersections.

Extraction: The removal of mineral resources from their location, so as to make them suitable for commercial, industrial, or construction use; but does not include excavation solely in aid of on-site farming or on-site construction, nor the process of searching, prospecting, exploring, or investigating for resources.



Facade: The front of a building and/or any of its sides facing a public right-of-way or space.

Facility (Construction and Demolition Debris): All contiguous land and structures, the disposal site, all storage and equipment areas, buildings, offices, and other appurtenances and improvements on the land used for construction and demolition debris management and operations.

Fall Zone: Shall mean the area on the ground within a prescribed radius from the base of a telecommunications tower or alternative structure, as determined by a certified engineer obtained by the applicant. The purpose of establishing a fall zone is to establish the area within which there could be a potential hazard from falling debris or collapsing material from the telecommunication tower or alternative structure.

Family Child Care Home, Large: A facility as defined in Chapter 402, F.S. that is an occupied residence in which childcare is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time childcare personnel on the premises during the hours of operation and is licensed to care for a greater number of children than allowed for in a family day care home.

Family Day Care Home: A facility as defined in Chapter 402, F.S., that is an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit.

Fence: A man-made barrier of any material, or combination of materials, erected to enclose or screen areas of land.

Fill: Man-made deposits of earth used to fill an enclosed space, to increase the vertical or horizontal extent of land, or build embankments.

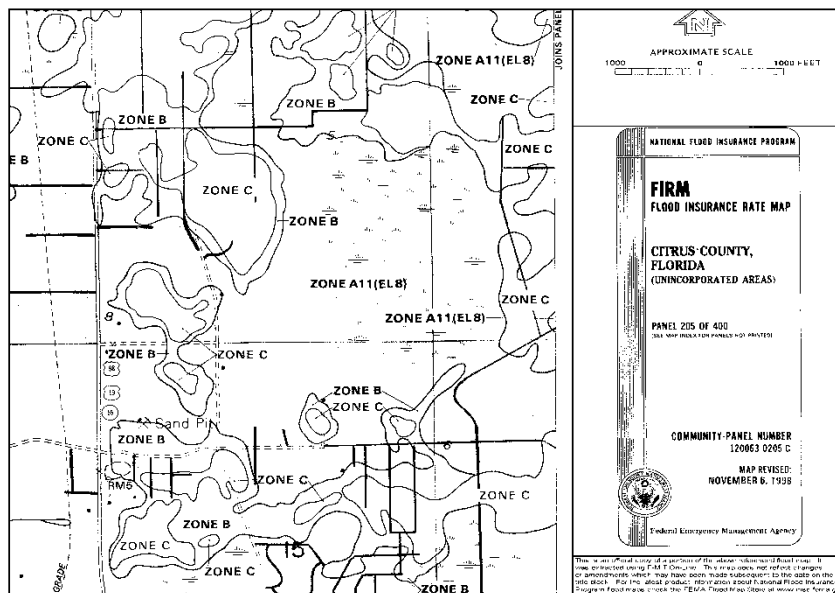
Final Cover (Construction and Demolition Debris): Clean fill used to cover the top of a construction and demolition debris site when fill operations cease.

Final Development Order: An order issued by the Department of Growth Management upon approval of the Board of County Commissioners, or the Planning and Development Commission, allowing an applicant to begin construction or physically alter land.

Floating Home: Any waterborne structure designed for use primarily as a home or dwelling. The term shall include any vessel, which has been altered or converted into a home, or dwelling and which is incapable of navigation by means of self-propulsion.

Flood or Flooding:

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
1. Overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 3. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in paragraph (a) (2) of this definition and are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along a shore of a lake or other body of water as the result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated unforeseeable event which results in flooding as defined in paragraph (A) (1) of this definition.

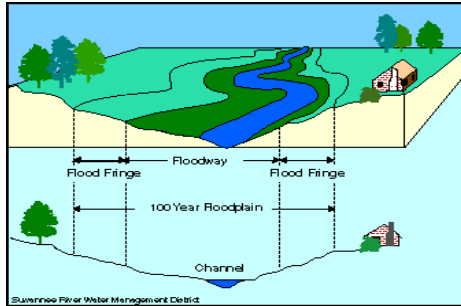


Flood Insurance Rate Map (FIRM): An official map of Citrus County on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and risk premium zones applicable to the community.

Floodplain: Any land area susceptible to being inundated by water from any source (see definition of "flooding")

Floodplain Administrator: The individual appointed to administer and enforce the floodplain management regulations of the community.

Floodproofing: Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.



Floodway: The channel of a stream, river, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

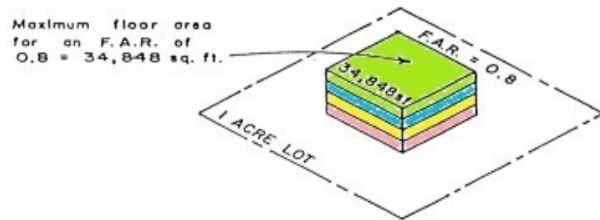
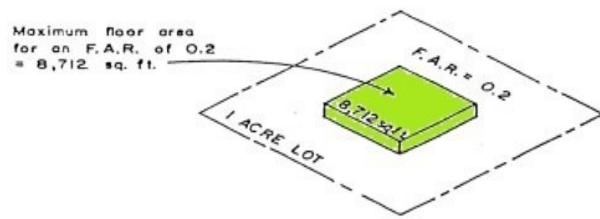
Floor: The inside bottom surface of a room.

Floor Area, Gross: The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. For any building or structure elevated to comply with Federal Emergency Management Agency (FEMA) flood elevation standards, the ground floor area below the structures elevated first floor, without exterior walls, shall not be considered usable area if utilized exclusively for parking. The gross floor area shall not include shafts with no openings or interior courts.

Floor Area Ratio (FAR): A mathematical expression determined by dividing the gross floor area of a building by the area of the lot on which it is located, i.e.

Gross Floor Area

Parcel Area



$$\text{F. A. R.} = \frac{\text{Gross building floor area}}{\text{Total lot area}}$$

Foot-candle: A unit measuring the amount of illumination produced on a surface. One foot-candle equals the amount of illumination falling on all points, which are one-foot from a uniform point source of one candle.

Freeboard: The additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, blockage of bridge or culvert openings, and hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the heights calculated for a selected frequency flood and floodway conditions.

Frontage Road: A street or highway constructed adjacent to a higher classification street or other roadway network for the purpose of serving adjacent property or controlling access.

Government Services Building: A building or group of buildings arranged, intended, or designed to be used to provide one or more services normally provided for a government purpose.

For the purposes of this LDC, Government Services Buildings shall include only firehouses, police facilities, ambulance facilities, and any related support facilities; road maintenance facilities; post offices, government office buildings, public community buildings, and public hospitals and related medical care facilities including convalescent and nursing homes; public schools, including post-secondary institutions; and libraries.

Groundwater: Water beneath the surface of the ground, whether or not flowing through known or definite channels.

Hardship: For floodplain management purposes, as related to Variances from this ordinance, means the exceptional difficulty associated with the land that would result from a failure to grant the requested variance. The community requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.



Helipad (Public or Private Use): Defined and specially prepared area for the landing, parking, and takeoff of rotorcraft, which has been licensed by the State.

High Seasonal Water Table: The highest point of the water table, whether perched or apparent, that occurs during the wet season in most years.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Historic Structure: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register of Historic Places; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on the Florida inventory of historic places; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by the approved Florida program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior.

Hurricane shelter: A structure designated by local officials as a place of safe refuge during a storm or hurricane.

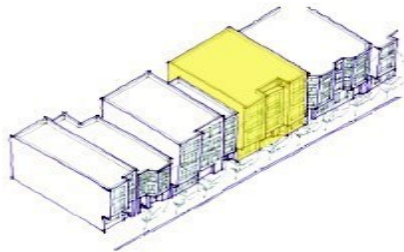
Impervious Surface: Any surface of material that prevents absorption of water into the underlying soil.

Impervious Surface Ratio (ISR): A mathematical expression determined by dividing the total impervious surface of a site by the gross area of the site, i.e.

$$\frac{\text{Total Impervious Surface}}{\text{Gross Site Area}}$$

Improvement: Any man-made immovable item that becomes part of, is placed upon, or is affixed to real estate.

Infill Development: The addition of new housing or other buildings on scattered vacant sites in a built-up area.



Intensity: The degree to which land is occupied and/or density of development. There is no single measure of intensity of land use. Rather, one land use is relatively more or less intense than another use. Generally, a particular use may be more intense due to one or more characteristics such as traffic generated, amount of impervious surface, bulk of the structures, number of employees, and degree of a nuisance such as pollution, noise, light, etc.

Junkyard: Premises or portions thereof used for storage or sale of used and discarded materials including, but not limited to: paper, rags, metal, building materials, appliances, household furnishings, machinery, vehicles, and equipment or parts thereof. Storage for a period of two or more months of two or more unlicensed, wrecked, or partly dismantled motor vehicles, and parts of dismantled motor vehicles, or the sale of parts thereof, not capable of or not intended to be restored to highway operating condition shall also constitute a junkyard. For the purposes of this LDC, such uses as automobile reclaiming businesses, automotive wrecking businesses, and automotive salvage businesses shall be considered junkyards.

Kennel: Any lot or premises on which four or more dogs or cats, or both, at least four months of age are kept, for an income producing business, whether

in special structures or runways or not, shall be considered a commercial use. Such income producing business may include, but shall not be limited to, breeding, boarding, grooming, and training. The dogs or cats shall not be animals whose natural habitat is in the wild, whether born in the wild or not, but of the domestic breeds.

Land Alteration: Any change or alteration of the land's natural grade.

Landscaping: The improvement of appearance or beautification of an area by planting of trees, grass, shrubs, or other plant materials, or by alteration of the contours of the land.



Land Clearing Debris: Rocks, stones, tree remains, trees, and other vegetative matter which normally results from land clearing or land development operations for a construction project. Land clearing debris does not include vegetative matter from lawn maintenance, commercial or residential landscape maintenance, right-of-way or easement maintenance, farming operations, nursery operations, or any other sources not related directly to a construction project.

Land Use: The development, activity, or use that has occurred on or is proposed for land.

Large Retail Project: Any new commercial retail building, whose total gross leasable area equals or exceeds 25,000 square feet, specifically mercantile uses, and/or shopping center uses.



Lawful Mine: An existing mine which has either an approved vested rights determination as provided under this LDC, or a permitted mining operation.

Light Manufacturing: For the purposes of land use districts, light manufacturing includes compounding, assembling (disassembling), or treatment of personal articles and household goods, articles of merchandise from previously prepared products, malleable metals, signs, instruments, toys, or similar goods, repairing, fabricating, finishing, packing or processing provided such uses (1) do not create industrial waste or involve use or creation of hazardous materials and (2) shall occur within the inside of the parcel's structure/building.

Limerock: A mineral composed mainly of calcium carbonate that has a gradation of particles from small to large and is used as a compacted base layer beneath roads and buildings, and for other structural earth fill applications.

Live-Aboard: A continuous use of a vessel as a floating home or dwelling indicated by sleeping, eating, and other evidence of habitation to include business, professional, or social association.

Live Aboard. Habitation: Overnight occupation of a floating home or live-aboard by one or more persons, while the home or live-aboard is moored, docked, or anchored in any of the public waterways lying within the County.

Live-Aboard. Marina: Any boat docking facility providing services to vessels to include, but not limited to, the fueling of vessels, the sale of marine supplies, or the rental of location for moorage or dockage for any live-aboard purpose.

Live Aboard. Pump Out Facility: A pumping apparatus and attachments which is connected to a vessel for the purpose of removing sewage from a holding tank, or other container, off the vessel directly to sanitary facilities on land adequate to handle sewage treatment and/or disposal in a safe and sanitary manner consistent with State health standard

Live Aboard. Vessel: Every description of boat, watercraft, barge, or other artificial contrivance used, or which is capable of being used, as a means of transportation, mode of habitation, or as a place of business or professional or social association on the waters of the County to include, but not limited to:

1. Foreign and domestic watercraft engaged in commerce;
2. Passenger or other cargo-carrying watercraft;
3. Privately owned recreational watercraft; and

4. Airboats and seaplanes.
5. Houseboats or other floating residential units.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise allowed by law.



Lot Area: The total area within the lot lines of a lot excluding any rights-of-way.

Lot Line: The legal boundary line of a lot.

Lot of Record: Any lot, portion of a lot, combination of lots, or parcel described by metes and bounds that was lawfully created individually or as part of a subdivision, and has been recorded in the Office of the Clerk of the Court of Citrus County prior to the time of enactment of this LDC.

Lowest Adjacent Grade: The lowest elevation, after the completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Land Development Code.

Mangrove Stand: An assemblage of mangrove trees which are mostly low trees noted for a copious development of interlacing adventitious roots above ground and which contain one or more of the following species: Black mangrove (*Avicennia Nitida*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia Racemosa*); and buttonwood (*Conocarpus Erecta*).



Manufactured Home: A structure, mass produced in a factory and transportable in one or more sections, built on a permanent chassis or framing system, and designed to be used as a dwelling when connected to the required utilities. No manufactured home shall be permitted that is less than 12 feet in width or which has a living area of less than 600 square feet. Garages, porches, storage areas, or similar attached structures shall not be included in computing living area. For purposes of this LDC, manufactured homes are divided into two classes as follows:

1. **Residential Design Manufactured Homes** (hereinafter referred to as RDMH). New manufactured homes certified as meeting current standards of the Department of Housing and Urban Development (HUD) and approved as meeting the National Manufacturing Housing Construction and Safety Standards which appear in Title 24 Code of Federal Regulations, Part 3280.S
2. **Standard Design Manufactured Homes** (hereinafter referred to as SDMH). Manufactured homes certified as meeting standards of the Department of Housing and Urban Development (HUD) or manufactured homes certified as meeting either Department of Housing and Urban Development (HUD) standards specified above or prior codes, found, inspected, and certified by an architect or engineer licensed in the State of Florida, to be in excellent condition and safe and fit for continued residential occupancy, but in both cases not approved as meeting "residential design" standards in accordance with this LDC.

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Marina/Boat Facilities: Any facility used for the wet or dry storage, loading, unloading, and/or launching of boats, which is not provided for the sole use of residences of a residential land use adjacent to a coastal water body. Marina/boat facilities include, but are not limited to, commercial marinas,

commercial docking structures, and public and private boat launching facilities/boat ramps.

Master Mining Plan: The general plan describing the overall scope of the mining operations for the life of the mine and describing the general nature of the operations, geographic characteristics, impacts, monitoring, reclamation, and other features relevant to the plan of the mine.

Mean Annual Flood Line: That line at which, and waterward of which, there is a 43 percent chance of equaling or exceeding the 2.33-year frequency flood as mapped by the Southwest Florida Water Management District (SWFWMD).

Mean High Water Line: The line formed by the intersection of the tidal plane of mean high water with the shore.

Mean Sea Level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the Land Development Code, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929, or North American Vertical Datum (NAVD) of 1988.

Medical Marijuana: All parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient as defined in Florida Statutes.

Medical Marijuana Treatment Center: A Florida Licensed Medical Marijuana Treatment Center.

Mine: An area of land upon which mining operations have been conducted, are being conducted, or are permitted to be conducted, as the term is commonly used in the trade.

Mineral Resource: The subsurface deposits that are natural solid inorganic or organic based materials, including but not limited to clay, limestone, peat, phosphate, coal, sand, and industrial minerals near the Earth's surface. Mineral Resources contain economic value.

Mining District or Property: Land that is defined as such in the Citrus County Comprehensive Plan and/or zoned for extractive use.

Mining or Mining Operations:

1. The breaking of the surface soil in order to facilitate or accomplish the severance of solid minerals over an active mining area;
2. Any activity constituting all or part of a process for the severance of solid mineral matter from its original location on a site with an active mining area; and/or
3. The preparation, crushing, washing, cleaning, screening, processing, flotation or other process for treatment of solid minerals so as to make them suitable for commercial, industrial or construction use. It shall not include such a process when conducted in an authorized land use district other than a district designated as extractive or plants engaged in manufacturing or processing as defined by the mining standards contained within the Citrus County Code Section 66. It shall not include excavation or grading when conducted solely in connection with on-site farming or permitted on-site construction for purposes other than mining.

Mining Permit: A valid operating permit issued by the County to conduct mining operations.

Mining unit: Areas of land specified in a mining permit from which minerals are extracted in a specified period of time.

Model Home (no sales office): A representative home used as part of a sales campaign to show the design, structure, and appearance of a residential unit in a development. A model home does not constitute a real estate office; however, this does not prohibit a home sales transaction from occurring within a model home.

Model Home (with sales office): A professional business office where the principal use is a sales office. Model homes with sales offices are allowed in land use districts where professional business offices are allowed as specified in this LDC.

Monitoring wells: Strategically located wells from which groundwater samples are drawn for water quality analysis or to determine the height of the water column (piezometers).

Moor: To dock, anchor, or otherwise park a vessel in a secured position.

Multiple-Family Dwelling Unit: Any apartment, condominium, townhouse, duplex or other multiple-dwelling unit containing two or more living units within a single building.

Natural drainage features: The naturally occurring features of an area which accommodate the flow of significant amounts of stormwater, such as streams, rivers, lakes, sloughs, floodplains and wetlands.

Natural drainage flow: The pattern of surface and storm water drainage through or from a particular site before the construction or installation of improvements or prior to regrading.

New Construction: For floodplain management purposes, any structure for which the “start of construction” commenced on or after the effective date of the initial floodplain management code, ordinance, or standard that established the area of special flood hazard, (July 2, 1975) and includes any subsequent improvements to such structures.

NIER: Non-ionizing electromagnetic radiation.

Nonconforming Structure, Use, or Lot: A lawful land use, structure, or lot existing at the time of the passage of this LDC that does not conform to the provisions, requirements, and regulations of this LDC.

Nonresidential Farm Building: Any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm (as defined by Florida Statutes) or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under Florida Statutes, and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

Nursing Home Facility (NHF): A type of residential care facility defined in Chapter 400, Part II, and F.S.T and described in this LDC.

Off-Site Sign: Any sign relating to products, accommodations, services, or activities that are only available to the public off the premises on which the sign is located. An off-site sign may also be called a billboard if it also meets the definition of a billboard.

On-site mining: The property described in the mining permit where mining activity is to take place.

Operator: Any person, partnership, or corporation, or any association thereof extracting solid minerals from the lands within the County, whether individually, jointly or through subsidiaries, agents, employees or contractors.

Outdoor Retail Sales Events: A temporary use allowing for the display and sale of products and services outside of a permitted business and limited to

the merchandise and services which are marketed within the building.

Outstanding Florida Waters (OFW): Surface waters that have been determined to be worthy of special protection provided by Florida law.



Owner or Tenant: Any owner, lessee or person in possession of any lot, tract, or other parcel of land.

Parking Space: A permanent area designated for stoppage of a vehicle with the intent for such vehicle to remain standing or stopped for an appreciable length of time.

Permanent Reference Monument (P.R.M.):

1. Consist of a metal rod having a minimum length of 18 inches and a minimum cross-section area of material of 0.2 square inches encased in concrete. The concrete shall have a minimum cross-section area of 12.25 square inches and be a minimum of 24 inches long.
2. Be identified with a durable marker or cap with the point of reference marked thereon bearing either the Florida registration number of the professional surveyor and mapper in responsible charge or the certificate of authorization number of the legal entity, which number shall be preceded by LS or LB as applicable and the letters "P.R.M."
3. Be detectable with conventional instruments for locating ferrous or magnetic objects.

If the location of the "P.R.M." falls in a hard surface such as asphalt or concrete, alternate monumentation may be used that is durable and identifiable.

Person: Any individual, firm, co-partnership, corporation, company, association, joint-stock association, or political body, and includes any trustee, receiver, assignee, or other similar representation thereof.

Phosphate: A solid, mineral resource as defined in Chapter 211, Part II,

Florida Statutes.

Piezometer: A monitoring well used specifically to measure groundwater elevation.

Planning and Development Commission: A seven-member commission appointed by the Citrus County Board of County Commissioners to carry out specified responsibilities regarding the Comprehensive Plan and its implementation.

Plot Plan: A graphic representation of the arrangement of buildings, parking, driveways, landscaping and any other structure that is part of a development.

Potable Water Supply (Construction and Demolition Debris): A well supplying piped water intended for human consumption.

Private Use Airport: An airport licensed by the State, publicly or privately owned, but not open to the public without invitation by the owner or manager.

Public Use Airport: An airport, publicly or privately owned, licensed by the State, which is open for use by the public.

Professional Engineer: An individual holding a current valid license to practice the profession of engineering issued by the State of Florida.

Professional Geologist: An individual holding a current valid license to practice the profession of geology issued by the State of Florida.

Public Fairground: A facility that allows public fairs and expositions including the County Fairground as defined by Chapter 616, Florida Statutes, or its successor in function.

Public Hearing: A meeting announced and advertised in advance that is conducted by a County official or board and which is open to the public with the public given an opportunity to talk and participate.

Public Notice or Due Public Notice: As used in connection with the phrase "public hearing" or "hearing to be held after due public notice" means publication of notice of the time, place, and purpose of such hearing as outlined in Florida Statutes.

Reclamation: The manner in which a mining site will be restructured, reshaped or revegetated and the measures to clean up and close a mining operation through the grading, seeding, site stabilization and creation of mitigation areas and littoral zones.

Recreation. Active: Recreational uses, areas, or activities which are oriented toward competitive activities, and typically require special facilities. Baseball, soccer, and fitness courses are examples of Active Recreation.

Recreation Facility: A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

1. Commercial: A recreation facility operated as a business and open to the public for a fee.
2. Private: A recreation facility operated by a nonprofit organization, and open only to bona fide members and guests of such nonprofit organization.
3. Public: A recreation facility operated by a government agency and open to the general public.

Recreation. Passive: Recreational uses, areas, or activities which are oriented toward noncompetitive activities, typically do not require special facilities, and often emphasize natural areas. Hiking, wildlife viewing, and leisurely bicycle riding are examples of Passive Recreation.



Recreational Resort: A commercial use designed specifically to allow living accommodations for temporary occupancy for recreation or travel use utilizing permanently placed structures under a unified control in accordance with the standards of this LDC. The period of time a recreation living unit may be occupied as temporary or seasonal living accommodations shall be limited to 180 consecutive days during each year.

Recreational Vehicle: A vehicular-type structure designed as temporary living quarters for recreational, camping, or travel use, which either has its own mode of power or is mounted on or drawn by another vehicle, and including, but not limited to: travel trailers, truck campers, camping trailers, and motor homes. For recreational vehicles placed in recreational vehicle parks, the period of time the recreational vehicle is occupied as temporary or seasonal living quarters shall be limited to 180 consecutive days during each year. During the time the recreation vehicle is not occupied as temporary or

seasonal quarters, it may be stored and tied down on the recreational vehicle site.

Recycling Collection Point: A facility or use that serves as a neighborhood drop-off point for temporary storage of recyclables. No processing of materials shall be included in this facility type and all collected materials are to be transferred off-site.

Regulatory Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

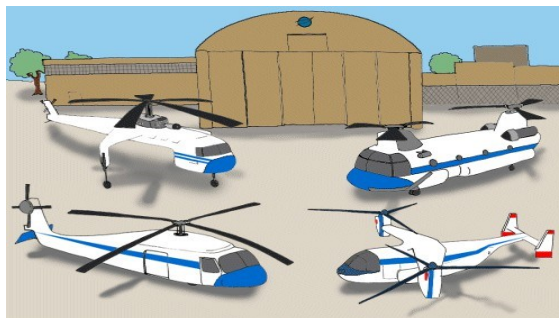
Residential Area: An area of land lawfully used, designated in the Comprehensive Plan, or approved in a master plan, development order, or other final development approval by County action for residential purposes.

Restoration: The process of re-establishing plant communities and hydrologic conditions which will create the ecologically functional equivalent of the entire pre-mining natural system involved.

Revegetation: The replanting of permanent vegetation that is native in the area that have been cleared or modified. The mix of species need not be the same as originally occurring in the cleared area, but must be capable of self-regeneration, and shall function as a natural landscape.

Reverse Frontage Road: A road that is constructed to the rear of properties fronting a highway or higher classification street for the purpose of serving abutting properties or controlling access.

Rotorcraft: A heavier-than-air Federal Aviation Administration (FAA) approved aircraft that depends principally for its support in flight on the lift generated by one or more rotors.



Runway: A defined area on an airport prepared for landing and takeoff of an

aircraft along its length.

Runway, Instrument: A runway having an existing or planned instrument procedure utilizing air navigation facilities or area-type navigation equipment.

Runway, Larger than Utility: A runway that is constructed for and intended to be used by jet powered aircraft or propeller driven aircraft of greater than 12,500 pounds maximum gross weight.

Runway, Non-precision Instrument: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned.

Runway, Precision Instrument: A runway having an existing precision instrument approach procedure utilizing an Instrument Landing System or Precision Approach Radar that provides both lateral and vertical guidance. It also means a runway for which a precision instrument approach is planned.

Runway Protection Zone: An area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground.

Runway, Utility: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Runway, Visual: A runway intended solely for operation during visual approach procedures with no straight-in instrument approach procedures or instrument approach designations.



School: A place or institution for teaching and learning, defined for the purposes of this LDC, as follows:

1. **Academic:** A public, parochial, or private school offering academic

subjects on an elementary or secondary level leading to a diploma, and which may include religious instruction, but may not include vocational or special schools.

2. **Special:** A public, parochial, or private school primarily devoted to giving instruction in music, dance, art, drama, language, science, religion, athletics, home economics, or other special types of subjects, but not including vocational schools.
3. **Vocational:** A public, parochial, or private school offering instruction not leading to a baccalaureate degree, either graded or ungraded, and in which instruction is given to persons for the purposes of developing occupational proficiency necessary for gainful employment; and which shall include business, technical, and trade schools.
4. **Pre-School:** A public, parochial, or private school offering instruction to children of pre-school age (six months to six years) in language arts, music, dance, art, physical fitness, or other types of subjects in preparation for entrance into an academic school. Such schools include kindergarten schools, play schools, and nursery schools.

Screening: Landscaping and buffering used to mitigate adverse visual impacts, and to provide for compatibility between dissimilar adjoining uses.



Setbacks: The setback distance between a natural or man-made feature (such as a road, lot line, a body of water, or a jurisdictional boundary) and the closest portion of a building.

For the purpose of mining, setbacks shall refer to property boundaries.

Sign: Any object, device, display structure, or part thereof that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, project, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Definitions of particular functional, locational, and structural types of signs are as follows:

1. **Banner**: A mounted piece of cloth, fabric, or other nonrigid material displaying or not displaying an emblem, insignia, motto, slogan, or other message. Examples of such banners include, but are not limited to: streamers, bunting, pennants, ensigns, and standards that are not included under the definition of flag.



2. **Billboard**: (See Off-Site Sign.)



3. **Directional Sign**: Any sign used for the purpose of indicating the location or direction of any object, place, or area.



4. **Double Face Sign**: Any sign having two back-to-back surfaces upon which copy is displayed.
5. **Flag**: The emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization on cloth, fabric, or other nonrigid material.

6. Free-standing (Ground) Sign: A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.
7. Marquee Sign: Any sign painted on or otherwise attached to an awning, canopy, or marquee.



8. Memorial Sign: A sign with the name and/or date of building erection cut into any masonry surface or constructed of bronze or other noncombustible material.
9. Multi-face Sign: Any sign having three or more faces that are neither parallel nor back-to-back upon which the same or dissimilar copy is displayed.
10. Obsolete Sign: Any sign that identifies or advertises any project, accommodation, service, or business that is no longer available to the public at the location indicated on the sign.
11. Occupant Sign: A sign bearing only property numbers, postbox numbers, or names of occupants or premises.
12. Off-Site Sign: Any sign relating to products, accommodations, services, or activities available to the public off the premises on which the sign is located. An off-site sign may also be called a billboard.
13. Portable Sign: Any sign whose design and/or construction is manifestly intended to be of a portable nature whether anchored, carried, left freestanding, towed, self-propelled, or attached to a vehicle including those attached to a truck, trailer, taxi, or other vehicles used in the course of business.



14. Projecting Sign (Building): A sign, other than a wall sign, that is attached to and projects from a structure or building face.

15. Roadside Safety Memorial: A marker placed along the side of a road to honor the victim of a car accident.
16. Wall Sign: A sign painted on, carved in, or otherwise affixed to and mounted parallel to a building facade or wall in such a manner that the facade or wall becomes the supporting structure for, or forms the background surface of, the sign.
17. Window Signs/Advertising Posters: Signs intended to inform or advertise products or events that are placed in the windows of shops, stores, or similar establishments.

Sign Face Area: The area of any regular geometric shape that contains the entire surface area of a sign upon which copy may be placed.

Silviculture: The development and/or maintenance of a forest or wooded preserve for the purpose of harvesting forest products.

Site Development Plan: The development plan for one or more lots or parcels on which is shown the existing and proposed conditions of the lot(s) or parcel(s) including all of the requirements set forth in this LDC.

Site Improvement Plan: A development plan for one or more lots or parcels that already has/have uses established on the property showing improvements to the lot(s) or parcel(s).

Small wireless facility: A wireless facility as outlined in F.S. 337.401 meeting the following qualifications:

- a. Each antenna associated with the facility is located inside an enclosure of no more than six cubic feet in volume, or in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than six cubic feet in volume; and
- b. All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.

Solid Waste (Construction and Demolition Debris): Sludge from a waste treatment works, water supply treatment plant, septage or grease from onsite

sewage disposal systems, or garbage, rubbish, refuse, or other discarded materials including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. Solid waste does not include sawdust, scrap or new or used material separated at the point of generation and held for purposes of recycling.

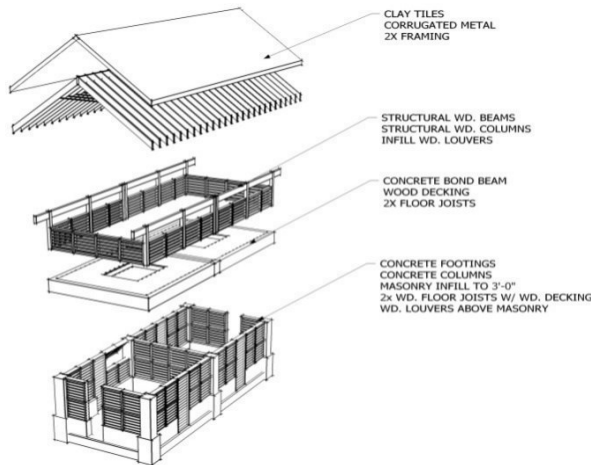
Special flood hazard area: The land in a floodplain subject to a one percent or greater chance of flooding in any given year. Areas of special flood hazard include those areas designated by the Federal Emergency Management Agency as Zone A, AE, AH, AO, AR, A1-30, A99, V, VE, and V1-V30, as well as any areas so designated by Citrus County after due public notification.

Start of Construction: The first placement of permanent elements of a structure on a site such as pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation.

Stormwater: Flow of surface runoff water which results from and which occurs during and immediately after a rainfall event.



Story: That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.



Street: A right-of-way, public or private, other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property. A street may be designated as a highway, road, lane, terrace, boulevard, way, court, point, path, drive, circle, or other appropriate name.

1. **Principal Arterial:** Serves major through movements between important centers of activities in a metropolitan area and a substantial portion of trips entering and leaving the area. It also connects freeways with major traffic generators. Service to abutting land is very subordinate to the function of moving through traffic.



2. **Minor Arterial:** A facility that connects and augments the principal arterial system. Although its main function is still traffic mobility, it performs this function at a somewhat lower level and places more emphasis on land access than on the principal arterial. A system of minor arterials serves trips of moderate length and distributes travel to geographic areas smaller than those served by the principal arterial.
3. **Major Collector:** A roadway which provides access and traffic circulation service within residential, commercial, and/or industrial areas. Collectors augment the arterial system and distributes travel to

smaller geographic areas than arterials.

4. Minor Collector: Type C (connector) – A roadway which serves predominantly as a corridor that collects Neighborhood development to the arterial major collector system and/or provides alternative routes between geographic areas.
5. Minor Collector: Type N – A roadway which serves predominantly as a corridor that collects traffic from a localized development or specific geographic area.
6. Local: A street used primarily for access to abutting properties, usually residential



Structure: That which is built, erected, constructed, or installed, either permanently or temporarily, being artificially assembled and comprised of parts which are jointed together in some definite pattern or manner.

***NOTE:** Installations including, but not limited to, sidewalks, driveways, walkways, and air condition pads shall not be deemed structures.



Surface Water: Water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring vent.

Temporary Use: is a use that is established for a fixed period of time, with the intent to discontinue such use upon the expiration of such time, and that does not involve the construction or alteration of any permanent building or structure.

Temporary Structure: is a feature, device, container or vehicle without a permanent foundation or footing and which is removed when the designated

time period, activity, or use for which temporary structure was erected has ceased.

Tower. Alternative Structure: Any wireless telecommunications mounting structure or facility that is designed to blend unobtrusively into the surrounding environment in order to camouflage or conceal the presence of such towers. An alternative tower structure design is subject to approval by the Director of the Land Development Division, or designee.



Tower. Guyed: A telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.



Tower Height: The distance measured from ground level to the highest point on the telecommunications tower or other structure, even if said highest point is an antenna.

Tower. Lattice: A telecommunications tower that is constructed with a series of struts forming a non-solid surface tower, without guy wires and standing on and fastened to an in-ground pier.



Tower, Monopole: A telecommunications tower consisting of a single pole or spire self-supported without guy wires.



Trip: A single or one direction vehicle movement.

Trip Ends: The total of all trips entering or leaving a designated land use or building type over a given period of time.

Trip Generation: The total number of trip ends produced by a specific land use or activity.

Truck (for Truck Parking): Any motor vehicle designed, used, or maintained primarily for the transportation of property and having a gross vehicle weight of 10,000 pounds or more. As used herein, the term shall not mean a Recreational Vehicle.

Utility, Public or Private: Any agency which, under public franchise or ownership or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar services. For the purposes of this LDC, electrical transmission and distribution lines, telephone lines, and lines for the transmission of television signals shall not be considered to be public utilities and shall be permitted in all districts.

Vacation: Waiving of the use, ownership, and rights-of-way of streets, roads, easements, or platted subdivisions.

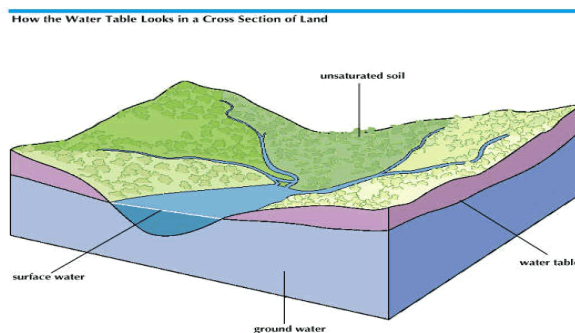
Variance: For floodplain management purposes, is a granting of relief from the requirements of the Land Development Code.

Velocity Zone (also "V -zone"): An area within a regulatory floodplain that is subject to high velocity waters including hurricane wave action. The area is designated on a FIRM as Zones V, VE, and V1-V30. The Federal Emergency Management Agency (FEMA) uses the term "Coastal High Hazard Area" to signify the V-zone. This should not be confused with the State of Florida and Citrus County definition of "Coastal High Hazard Area" above.

Waters: Includes but is not limited to, rivers, lakes, streams, springs, impoundments, and all other waters or bodies of water, including fresh, brackish, saline, tidal, surface or underground waters. Underground waters include, but are not limited to, all underground waters passing through pores of rock or soils or flowing through in channels, whether manmade or natural.



Water table: The top of saturated zone of the surficial aquifer.



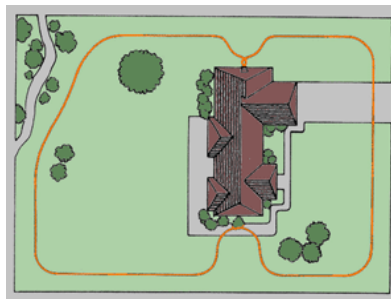
Well: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is to conduct groundwater from an aquifer or aquifer system to the surface by pumping or natural flow, to conduct water or other liquids from the surface into any area beneath the surface of land by water pumping or natural flow, including the monitoring of the characteristics of groundwater within an aquifer system(s).

Wetlands: Areas within dredge and fill jurisdictions of the Florida Department of Environmental Protection (FDEP) or their successor in function (as authorized by Section 403, F.S.), the Army Corps of Engineers (as authorized by Section 404, Clean Water Act or Section 10, Rivers and Harbors Act) and the SWFWMD (as authorized by Chapter 40D-4.021(10), F.A.C.). For the purposes of development review under the LDC, wetlands are presumed to be impervious.



Workforce Housing: as defined in Chapter 420 of F.S., is housing affordable to natural persons or families whose total annual household income does not exceed 140 percent of the area median income, adjusted for household size, or 150 percent of the area median income, adjusted for household size.

Yard: An open space that lies between the principal or accessory structure or structures and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided in this LDC.



Yard Trash: Vegetative matter resulting from landscaping maintenance or land clearing operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps.

1600. ADMINISTRATIVE OFFICIALS

1601. GROWTH MANAGEMENT DIRECTOR

The Growth Management Director shall be designated by the County Administrator with the concurrence of the Citrus County Board of County Commissioners and shall have the following duties and responsibilities:

1. Administer development related codes, ordinances, resolutions, etc. including any amendments or updates thereto;
2. Administer and enforce the provisions of the County land development regulations except as may be specifically assigned to another official;
3. Serve as the lead official and department head for all planning, zoning, building, contractor licensing, and code compliance functions;
4. To oversee appropriate application of the provisions of this LDC and State and County laws as they pertain to planning and development in Citrus County;
5. To ensure appropriate interdepartmental coordination regarding development review and approval of preliminary plans, plats, final development orders, and development permits;
6. To assist the BCC and the PDC through staff reports and recommendations concerning applications and their compliance with standards and provisions of this LDC;

7. Perform other duties as assigned by the County Administrator, the Citrus County Board of County Commissioners, and those functions as required by provisions in the LDC;
8. To verify consistency of applications for preliminary or final approval with the Comprehensive Plan; and
9. To assist the Citrus County Board of County Commissioners and Planning and Development Commission through staff reports and recommendations regarding applications and their compliance with the Comprehensive Plan.

1602. BUILDING OFFICIAL

The Building Official shall have the following duties and responsibilities:

1. Administer and enforce the provisions of the Florida Building Codes currently in effect and Chapter 18 of the Citrus County Code or its successor;
2. Administer permitting processes to ensure compliance with building codes;
3. Serve as the Floodplain Administrator for the County; and
4. Perform other duties as assigned by the County Administrator and/or the Citrus County Board of County Commissioners;
5. To ensure compliance with such additional standards and requirements as shall be specified in this LDC regarding construction standards for accessory uses and buildings;
6. To perform such other duties and functions as required by provisions of this LDC;
7. To receive all building permit applications, review them for completeness, and implement administrative procedures;
8. Coordination and routing of all building permit applications with all applicable County Departments and Divisions; and

9. To assist and coordinate with the Construction Licensing Special Master and the Code Review and Appeals Board.

1603. DIRECTOR OF THE LAND DEVELOPMENT DIVISION

1. To perform such other duties and functions as required by the provisions of this LDC and the Citrus County Comprehensive Plan.
2. To verify compliance of applications for preliminary or final approval with the LDC;
3. To review all applications for development permits to ensure that a valid development order has been received for the proposed construction or other development activity, or that the proposed activity is lawfully exempt from the requirement to secure a development order; and
4. Render official interpretations regarding provisions of this LDC and the Comprehensive Plan, with the exception of engineering technical standards including those within Chapter Six, Stormwater Management, and Chapter Seven, Transportation System Standards, or other technical standards that are under the authority of other County Departments/Divisions.
5. To review and maintain the Comprehensive Plan in accordance with Federal law in addition to State and County laws;
6. To review all applications for amendments and/or updates to the Comprehensive Plan.

1604. DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS

The Director of the Department of Public Works, or designee, shall have the following powers and duties:

1. To oversee appropriate application of technical provisions of this LDC and of State and County laws as they pertain to planning and development in Citrus County;
2. To ensure appropriate interdepartmental coordination of other Departments regarding review and approval of preliminary plans, plats, final development orders, and development permits;
3. Render official interpretations regarding provisions of this LDC and the Comprehensive Plan regarding engineering technical standards including those within Chapter Six, Stormwater Management, and Chapter Seven, Transportation System Standards;
4. To assist the BCC and the PDC through staff reports and recommendations

concerning applications and their compliance with standards and provisions of this LDC;

5. To verify compliance of applications for preliminary or final approval with technical requirements of this LDC;
6. To review all applications for permits to install infrastructure such as sanitary sewer systems, potable water systems, roads, paving, drainage, and such other permits as may be specified in this LDC;
7. To perform such other duties and functions as required by the BCC and provisions of this LDC.

1605. (RESERVED)

1606. DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

The Director of the Department of Water Resources, or designee, shall have the following powers and duties:

1. To oversee appropriate application of technical provisions of this LDC and or state and county laws as they pertain to planning and development in Citrus County.
2. To ensure appropriate interdepartmental coordination with the Department of Growth Management regarding review and approval of preliminary plans, plats, final development orders, and development permits.
3. To assist the BCC and the PDC through staff reports and recommendations concerning applications and their compliance with standards and provision of this LDC.
4. To receive applications for specified types of development permits, review them for completeness, and implement administrative procedures outlined in this LDC.
5. To verify compliance of applications for preliminary or final approval with technical requirements of this LDC.
6. To review and act on all applications for permits to install infrastructure such as sanitary sewer systems, potable water systems, and such other permits as may be specified in this LDC.
7. Render official interpretations regarding provisions of this LDC and the Comprehensive Plan regarding water and wastewater resources technical standards.

8. To conduct such inspections as are required in the process of reviewing applications and in ensuring that all construction and development authorized by permits reviewed or approved by the Director of the Department of Water Resources is conducted in accordance with this LDC and applicable conditions of approval.
9. To perform such other duties and functions as required by BCC and the provisions of this LDC.

1607. REASSIGNMENT OF DUTIES AND RESPONSIBILITIES

Nothing in this Code shall be interpreted as preventing the County Administrator and/or the Citrus County Board of County Commissioners from reassigning duties and responsibilities or from combining, eliminating, or creating positions relative to the duties identified in this section.

1700. PLANNING AND DEVELOPMENT COMMISSION (PDC)

1701. ESTABLISHMENT AND PURPOSE

- A. The PDC of Citrus County is hereby established for the purpose of advising the Citrus County Board of County Commissioners on issues related to planning and development and reviewing specific applications for development orders. The PDC shall serve as both the Local Planning Agency and the Land Development Regulation Commission as described in Chapter 163, Part II, Florida Statutes. This commission is charged with the responsibility of reviewing the existing Comprehensive Plan and making recommendations regarding the Comprehensive Plan to the BCC, recommending appropriate planning and development policies to the BCC, and reviewing specific development proposals for conformance to this LDC. The Commission is charged with final approval authority for specific types of proposals.
- B. The PDC shall consist of eight members including seven regular members, two alternate members, and one School Board Representative. The School Board Representative is a non-voting member. All regular and alternate members of the PDC shall be appointed by the Board of County Commissioners. Regular members and alternate members shall be voting members, except that an alternate member shall not participate in the hearing of any matter before the PDC unless one of the regular members is absent from such hearing. Regular members and alternate members shall serve for a term of four years, with only three regular members' terms and only one alternate member's term expiring in any one-year period. If any member fails to attend three successive PDC meetings without good cause, the PDC shall declare the member's seat vacant and notify the Chairperson of the Board of

County Commissioners and the member of such vacancy. The Board of County Commissioners shall have the power to remove any regular or alternate member of the PDC for nonfeasance, misfeasance, or malfeasance. Each member of the PDC shall not be seated until having taken and signed an oath to perform the duties of such office. The signed oath shall be filed with the Clerk of the Board of County Commissioners. The regular and alternate members of the PDC shall serve without compensation, except for actual expenses incurred in the performance of PDC duties as may be allowed by Florida law and authorized by the Board of County Commissioners. The qualifications of the regular and alternate members of the PDC shall be as follows:

1. *Application.* All prospective members shall timely submit to the Director of Land Development Division a completed application, the form of which shall be in the discretion of the Director, but which form shall include at a minimum the appointment or application for appointment to any other public office, and any other circumstance which may present the possibility of a conflict of interest.
2. *Residency.* All members shall be permanent residents of Citrus County;
3. *Education, training, and experience.* Three members shall be employed in or retired from one of the following professions: architect; urban, rural, or regional planner; landscape architect; environmental scientist; civil engineer; real estate broker or agent; surveyor; or construction contractor. Two members shall be employed in or retired from any other profession. Two members shall be the representative of a homeowners/property owners association or a civic association. The BCC may appoint any resident of Citrus County deemed to be otherwise qualified to serve on the basis of suitable education, training, experience, or any combination thereof.

1702. POWERS AND DUTIES

- A. The PDC shall be designated as the Local Planning Agency, authorized under Chapter 163, Part II, Florida Statutes, and shall be responsible for the functions and duties described in the Act. In addition, the commission shall have the following powers and duties:
 1. To review statistical data and information on population, property values, the land economy, land use, and other information necessary to assess the amount, direction, and type of development expected in Citrus County;
 2. To review, prepare, and make recommendations to the BCC for adoption of or amendment to the Comprehensive Plan intended to meet existing requirements and future requirements as may be foreseen;
 3. To establish principles and policies for guiding action affecting development in the unincorporated area of the County;

4. To review and recommend special studies on the location, adequacy, and conditions of specific facilities in Citrus County including, for example, studies on housing, commercial and industrial conditions and facilities, recreation, public and private utilities, the transportation system, and environmental conditions; and
 5. To perform such other duties as may be assigned to the Commission or which may have bearing on preparation or implementation of the Comprehensive Plan.
- B. The PDC shall be designated as the Land Development Regulation Commission, authorized under Chapter 163, Part II, Florida Statutes, and shall be responsible for any functions and duties designated in the Act. In addition, the commission shall have the following powers and duties:
1. To review and act upon applications for development orders;
 2. To review and recommend special studies to the BCC for adoption of or amendment to appropriate regulations of this LDC for implementation of the Comprehensive Plan and for promoting orderly development in Citrus County;
 3. To determine and decide whether a specific proposed development conforms to the objectives and policies of the Comprehensive Plan;
 4. To perform such other duties as may be assigned or that have bearing on the implementation of this LDC;
 5. To review and rule on applications for variances pursuant to this LDC;
- C. The Commission shall have the following responsibilities:
1. To conduct such public hearings as may be required to gather information, to render decisions, or make recommendations to the BCC; and
 2. To keep the BCC and the public informed and advised on matters delegated to the BCC.

1703. OFFICERS

- A. The Chair of the PDC may serve a maximum of two one-year consecutive terms in office, with a one-year waiting period in between any consecutive two-year term of office.
- B. The PDC shall additionally elect a first vice chair and a second vice chair.

1704. DECISION CRITERIA

The decisions of the PDC (for approval or denial) on all applications shall be made on the basis of the criteria of this LDC.

1705. IMPROPER INFLUENCE

- A. No person who is or may become a party nor anyone appearing on behalf of a party shall communicate ex parte, i.e. outside a hearing, with the PDC concerning any application pending or proposed.
- B. Except for the School Board Representative (who is a non-voting member), a person who serves on the PDC is expressly prohibited from acting as agent or attorney in any proceeding, application, or other matter before any commission, board, agent, or office of City/County government involving property that was the subject of an application that was pending during the person's term as a PDC member.
- C. PDC members shall neither initiate nor consider ex parte, i.e., outside a hearing, communications concerning a pending or impending proceeding. A PDC member, however, may obtain the advice of a disinterested expert, other than another PDC member, on law, planning, or other subject applicable to a proceeding before him if he gives notice to the subject parties as the person consulted and the substance of the advice and affords the parties reasonable opportunity to respond.

1800. PENALTIES, REMEDIES AND ENFORCEMENT STANDARDS

- A. Unless otherwise expressly stated by this LDC or State Law, any violation of the LDC including but not limited to the following, will be subject to the remedies and penalties provided for in this Section:
 - 1. The use of land or buildings in any way not consistent with the requirements of this LDC;
 - 2. To engage in development activity in any way not consistent with the requirements of this LDC;
 - 3. To install or use a sign in any way not consistent with the requirements of this LDC;
 - 4. To engage in the use of land, buildings, signs, natural resources or historical resources, or any development activity under this LDC without obtaining all required permits or approvals;

5. To engage in the use of land, buildings, signs, natural resources or historic resources or any development activity in any way inconsistent with a permit or approval granted under the LDC;
6. To operate any business subject to specific use or operating conditions under this LDC except in accordance with this LDC; or
7. 7. Any other failure to comply with the provisions of this LDC.

B. Liability

The owner, tenant or occupant of any land or structure, shall be presumed to know of activity occurring on such land or in such structure and thus may be charged with a violation of this Code for any violation found on any premises subject to this Code. Where an architect, contractor, builder, agent or other person appears to have participated directly in a violation of this Code, such person may also be charged with a violation of this LDC.

C. Deed Restrictions

These regulations shall not affect any private deed restrictions or restrictive covenants recorded with any deed, plat, or other legal document relating to the use or lot and setback requirements except those that state or reinforce requirements of this LDC or development approvals thereunder. No person or agency in the capacity of administering or enforcing these regulations shall be responsible for enforcing private deed restrictions or restrictive covenants.

D. Penalties and Remedies

The County may use, but is not limited to, any of the following remedies and enforcement powers:

1. Referral to Code Compliance Special Master

Violations of this LDC may be referred to the Citrus County Code Compliance Special Master for enforcement in accordance with F.S. Ch. 162 and Chapter 19 of the Citrus County Code of Ordinances.

2. Referral to Florida Department of Environmental Protection

Violations of this LDC may also be referred to the Florida Department of Environmental Protection.

3. Referral to State Attorney's Office

Violations of this LDC may also be referred to the State Attorney's Office.

4. Citations

A citation may be issued for violations of this LDC in accordance with F.S. Ch. 162 and Chapter 19 of the Citrus County Code of Ordinances.

5. Withhold Permits and Approvals

The County may deny or withhold all permits, certificates or other forms of authorization on any land or structure or improvements thereon:

- a. Upon which there is an uncorrected violation of a provision of the Citrus County Code or of a condition or qualification of a development order, permit, certificate, approval or other authorization previously granted by the County; or
- b. That is owned or being developed by a person who owns, developed or otherwise caused an uncorrected violation of a provision of the Citrus County Code or of a condition or qualification of a permit, certificate, approval or other authorization previously granted by the County.

6. Approval of Permits and Approvals with Conditions

Instead of withholding or denying permit or other authorization, the official with authority to approve the permit or authorization may grant such authorization only if adequate assurances are in place to ensure correction of the violation and provided that granting the permit or authorization will not compromise the public health, safety or general welfare.

7. Revoke Permits and Approvals

Development approval, including but not limited to rezoning, plats, site plans, development plans, certificates of level of service compliance for concurrency requirements, vested rights determinations, and construction and building permits, may be revoked, modified, or suspended by the Board of County Commissioners, at a public hearing upon due public notice, when it has been demonstrated and found that the development approval was granted on the basis of a clear and material misrepresentation of fact by the applicant or on the basis of a clear and material error of law, or there has been clear and material noncompliance with the conditions for approval. A proposed action to revoke, modify, or suspend a development approval may only be initiated by county staff. Upon discovery of such an erroneous development approval

or noncompliance or deficiency of development activity with respect to the development approval, the county shall notify the owner, developer and other responsible parties, such as the engineer of record, the contractor or any known holders of any mortgages, by certified mail within five working days of discovery of the error or deficiency. The responsible parties shall bear all risks and responsibility for any work undertaken after notification of the error or deficiency. Upon determining that the error or deficiency poses an immediate threat to public health or safety, the Growth Management Director granting the development approval shall have the power to authorize or issue stop work orders. The responsible parties shall respond to the error or deficiency notice by certified mail within 15 working days with a proposal for corrective action to remedy the error or deficiency. The County shall evaluate and respond to the responsible parties within 10 working days with either an acceptance of the responsible parties' proposal or with an alternative recommendation for corrective action. If the responsible parties' recommendation is not accepted within ten working days, the responsible parties shall have an additional 15 working days to negotiate an acceptable resolution with the County. If resolution cannot be reached, the County may proceed with revocation, modification, or suspension procedures as outlined in this section. At least 15 days prior to the public hearing before the Board of County Commissioners, notice shall be provided by certified mail to the applicant for the development approval, all owners of record of property within the portions of the development approval to be revoked, and to other property owners to the same extent as was required for the subject development approval setting forth specific allegations to support the proposed action.

8. Stop Work

- a. Whenever a Building or part thereof is being constructed, reconstructed, altered or repaired or any natural or historic resource is being altered in violation of this LDC, the Code Compliance Director or his or her designee may order the work to be immediately stopped as it pertains to the LDC violation.
- b. The stop work order shall be in writing and directed to the person doing the work. The stop work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed.
- c. If a violation of the LDC has been determined on a site that has an active building permit, the Land Development Division Director must agree to the stop work order before it is issued.

9. Forfeiture and Confiscation of Signs

Any sign installed or placed on public property, except in compliance with the regulations will be subject to forfeiture to the County and to confiscation. In addition to other remedies and penalties of this section, the County has the right to recover from the sign owner or person who placed the sign, the full costs of sign removal and disposal.

10. Legal Relief

- a. The County may commence a civil action or proceeding to stop any violation of this LDC or of a permit, certificate, plan or other form of authorization granted hereunder, to remove a violation, or to restore the premises in question to the condition in which it existed prior to the violation. The relief sought may include, but is not limited to:
 - 1) An injunction or other equitable relief;
 - 2) A mandatory injunction requiring specific performance of the requirements of a site plan, development plan, landscaping plan, environmental remediation plan or any development order, approval or permit requiring specific site improvements as a remedy under this LDC or as a condition of approval of such development order, approval or permit;
 - 3) An order in the nature of mandamus or abatement;
 - 4) A civil action in a court of competent jurisdiction to establish liability and to recover damages to property including animal, plant, and aquatic life, caused by any violation;
 - 5) A judgment or order enforcing any requirement of, or under, this LDC to pay a fee or reimburse or compensate the County, including when the County is required or authorized to take specified action at the expense of the Landowner; or
 - 6) Any other judgment or order available under Florida Law.
- b. It shall not be a defense to, or ground for dismissal of, these judicial remedies for damages and civil penalties that the County has failed to exhaust its administrative remedies, and/or have failed to hold an administrative hearing prior to the institution of a civil action.

11. Consent Orders

The County Administrator has the authority to enter into consent orders on behalf of Citrus County to settle code violations, either before or after initiating formal enforcement action. The settlement may include a penalty amount different from the penalties provided by code, including the payment of administrative costs and expenses. Proposed consent orders shall be reviewed by the County Attorney's Office prior to signature by the parties.

12. General Penalties

- a. Violation of the provisions of these regulations or failure to comply with any of the requirements, including violations of conditions and safeguards established in connection with grants of variance, conditional use permits or special exceptions may be punishable as provided by general law for violation of County Ordinance.
- b. The County may seek such other penalties and remedies, and employ such other enforcement powers, as are provided by Florida law for violations of zoning, subdivision, sign, or related provisions.

E. Continuation of Previous Enforcement Actions

Nothing in this LDC prohibits the County's continuation of previous enforcement actions, undertaken by the County pursuant to previous and valid ordinances and laws.

F. Remedies Cumulative

The remedies and enforcement powers established in this LDC are cumulative, and the County may exercise them in any order.

(Ordinance No. 2013-A08, Sections 1403., 1500., 1800., adopted April 23, 2013)

(Ordinance No. 2014-A10, Section 1500., adopted June 24, 2014)

(Ordinance No. 2016-A07, Section 1500., 1602., 1603., 1605., adopted April 12, 2016)

(Ordinance No. 2016-A25, Section 1500, adopted October 11, 2016)

(Ordinance No. 2017-A21, Section 1500, adopted May 9, 2017)

(Ordinance No. 2017-A33, Section 1500, adopted August 22, 2017)

(Ordinance No. 2018-A01, Section 1500, adopted January 23, 2018)

(Ordinance No. 2018-A08, Section 1500, adopted April 10, 2018)

(Ordinance No. 2021-A27, Sections 1401, 1403, 1500, 1601, 1606, 1701 and 1800, adopted September 14, 2021)

(Ordinance No. 2023-A16, Sections 1603 and 1604, adopted July 11, 2023)

(Ordinance No. 2023-A34 Sections 1606, adopted November 28, 2023)

(Ordinance No. 2024-A12, Section 1800, adopted July 23, 2024)

(Ordinance No. 2025-A04 Section 1500, adopted March 11, 2025)